

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>BOARDS OF TRUSTEES OF THE OHIO LABORERS' FRINGE BENEFIT PROGRAMS,</b>	:	<b>Case No. 2:16-CV-192</b>
	:	
	:	
<b>Plaintiffs,</b>	:	
	:	
<b>v.</b>	:	<b>JUDGE ALGENON L. MARBLEY</b>
	:	
<b>EYLER ASBESTOS, LCC,</b>	:	<b>Magistrate Judge Jolson</b>
	:	
<b>Defendant.</b>	:	

**ORDER**

This matter is before the Court for consideration of the Magistrate Judge's Report and Recommendation (Doc. 8), recommending that Plaintiffs' Motion for Default Judgment be granted and that Plaintiffs be awarded \$29,727.33 in unpaid fringe benefit contributions, prejudgment interest, and liquidated damages, as well as a reasonable attorney's fee of \$1,785.00 and interest from the date of judgment at the rate of one percent per month. (*Id.* at 2.)

The Report and Recommendation specifically advises the parties that the failure to object to the Report and Recommendation within fourteen days results in "a waiver of the right to have the District Judge review the Report and Recommendation *de novo*, and also operates as a waiver of the right to appeal the decision of the District Court adopting the Report and Recommendation." (Doc. 8 at 3.) The deadline for objections has lapsed and the parties have failed to object.

The Court hereby **ADOPTS** the Report and Recommendation based on the independent consideration of the analysis therein. Accordingly, the Clerk is **DIRECTED** to enter Judgment against Defendant Eyler Asbestos, LLC. Plaintiff is **AWARDED** \$29,727.33, including unpaid

fringe benefit contributions through December 2015, as well as prejudgment interest, liquidated damages, and a reasonable attorney's fee of \$1,785.00, plus interest from the date of judgment at the rate of one percent per month.

**IT IS SO ORDERED.**

s/ Algenon L. Marbley  
**ALGENON L. MARBLEY**  
**UNITED STATES DISTRICT JUDGE**

**DATED: May 16, 2016**